

# EXHIBIT 3

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN**

AETNA INC.,	)
	)
Plaintiff,	) Civil Action No. 2:11-cv-15346-DPH-MKM
v.	)
	) Judge Denise Page Hood
BLUE CROSS BLUE SHIELD OF	)
MICHIGAN, a Michigan nonprofit	) Magistrate Judge Mona K. Majzoub
healthcare corporation,	)
	)
Defendant.	)

**SUPPLEMENTAL DISCLOSURES OF PLAINTIFF AETNA INC.**

Pursuant to Fed. R. Civ. P. 26(e), Plaintiff Aetna Inc. (“Aetna”) hereby supplements its 26(a)(1)(A)(iii) disclosures. By making these supplemental disclosures, Aetna does not concede the relevance, materiality, or admissibility of any of the information described or suggested herein, nor does Aetna waive the assertion of any applicable privilege, objection, or other proper bases upon which information may be withheld. Aetna reserves the right to object to any subsequent discovery request by Defendant Blue Cross Blue Shield of Michigan (“Blue Cross”), even if directed to subject matter described herein. These disclosures are based on information reasonably available to Aetna at this time.

**I. DAMAGES**

Aetna has not yet completed its investigation, discovery, analysis, and preparation for trial, and thus its computation of each category of damages it may claim is necessarily preliminary. Aetna makes these supplemental disclosures without the benefit of access to any information in the possession of Blue Cross and/or third parties. For these reasons, and others, Aetna may not yet be fully aware of critical factors that impact the nature and extent of damages Aetna has suffered, including but not limited to the period of time during which Aetna’s business

has been impacted by Blue Cross's actions, and some types of harm that Blue Cross has inflicted on Aetna.

Aetna expects to develop further information through the discovery process and conduct further factual, legal, and economic analysis, and Aetna's preliminary assessment of categories of damages it may claim does not prejudice its rights to amend or supplement the computations provided below as further information becomes available. Aetna reserves its rights to amend or supplement these disclosures based on further information developed in discovery and/or further analysis of information already in Aetna's possession, including but not limited to analysis that may be performed by any consultants or experts. Further information or analysis may reveal additional categories of damages to which Aetna is entitled, or it may reveal that Aetna is entitled to damages falling outside the ranges provided below, either above or below.

Aetna seeks to recover treble its damages sustained under the Clayton Act and/or the maximum possible enhancement of damages available under the laws of the State of Michigan. The computations below do not include Aetna's attorneys' fees and costs in this action, which Aetna seeks as part of its relief, but as to which Aetna is not able to provide any reasonable estimate at this time. Subject to these caveats, and based on the information currently available, Aetna may claim, but is not limited to, damages falling into one or more of the following categories:

Lost profits ranging from approximately \$77.7 million to \$136 million (\$233.1 million to \$408 million after trebling);

Lost future profits ranging from approximately \$126 million to \$283.5 million (\$378 million to \$850.5 million); and

Diminution in business value of approximately \$344.25 million (approximately \$1.033 billion after trebling).

February 10, 2012

Respectfully submitted,

/s/ Veronica S. Lewis

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### CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2012, I sent the foregoing Supplemental Disclosures via e-mail to counsel for Blue Cross Blue Shield of Michigan, per agreement between the parties.

/s/ Dan Matheson  
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